

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEVEN J. LOVETT,

Plaintiff,

-against-

ACTING SUPT. SUSIE BENNETT OF
SULLIVAN CORRECTIONAL FACILITY,
et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/4/2023

22-cv-05462 (NSR)

SUPPLEMENTAL ORDER OF
SERVICE

NELSON S. ROMÁN, United States District Judge:

Plaintiff Steven J. Lovett, proceeding *pro se*, commenced this 42 U.S.C. § 1983 action against Defendants through a Complaint filed on June 27, 2022. (ECF No. 2.) Plaintiff was granted permission to proceed *in forma pauperis* on July 5, 2022. (ECF No. 4.) Plaintiff filed an Amended Complaint on August 12, 2022. (ECF No. 6.) In his Amended Complaint, Plaintiff named the following Defendants: (1) Acting Sullivan Superintendent Susie Bennett; (2) Sullivan Correction Officer Shane Topel; (3) Sullivan Correction Officer Kevin Darling; and (4) Sullivan Correction Officer Felix Santos. The Court directed the Clerk of Court to add an unidentified “John Doe” official to the action pursuant to Rule 21 of the Federal Rules of Civil Procedure. (ECF No. 8.) The Court further directed Defendants’ counsel, the New York State Attorney General (the “NYAG”), to ascertain the identity and address of John Doe. (*Id.*) On November 17, 2022, NYAG responded, identifying John Doe as Jaclyn Chafetz. (ECF No. 13.) Plaintiff named Jaclyn Chafetz as a Defendant in the Second Amended Complaint. (ECF No. 24.)

To allow Plaintiff to effect service on this Defendant through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for Jaclyn Chafetz. The service address for Defendant Chafetz is: New York

State Department of Corrections and Community Supervision, The Harriman State Campus, 1220 Washington Avenue, Albany, New York 12226-2050.

The Clerk of Court is further instructed to issue a summons and deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service upon Defendant Chafetz.

It is Plaintiff's responsibility to ensure that service is made within 90 days of the date the summons is issued and, if necessary, to request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012). Plaintiff must also notify the Court in writing if his address changes, and the Court may dismiss the action if he fails to do so.

The Clerk of the Court is respectfully directed to mail a copy of this Order to Plaintiff at the address listed on ECF and show proof of such service on the docket.

SO ORDERED.

Dated: January 4, 2023
White Plains, New York



NELSON S. ROMÁN
United States District Judge